Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
05-23-12	Court Services Division, TST	☐	☑

Incident Information

URN: 012-06261-2812-055	Date: 05-23-12	Time: 1048 hours	
City or Station: Compton	Nature of Incident: (See Investigative Summary)		
Location: [redacted], Compton			

Location Type (*check one or more*):
- ☐ Backyard
- ☐ Beach
- ☐ Business
- ☐ Freeway
- ☐ Industrial
- ☐ Park
- ☐ Parking Lot
- ☑ Residence
- ☐ Rural
- ☐ School
- ☐ Street
- Other:

Lighting (*check only one*):
- ☐ Darkness
- ☑ Daylight
- ☐ Other
- ☐ Street Lights

Weather (*circle only one*):
- ☑ Clear
- ☐ Cloudy
- ☐ Fog
- ☐ Rain

Distance: 15 feet

Incident Type (*check one or more*):
- ☐ Accidental
- ☑ Armed Person
- ☐ Fleeing Suspect
- ☐ Foot Pursuit
- ☐ Gun Take Away
- ☐ Moving Vehicle
- ☐ Sniper/Ambush
- ☐ Startle
- ☐ Struggle Involved
- ☐ Traffic Stop
- ☐ Unarmed Person
- ☐ Unintentional
- ☐ Vehicle Pursuit
- ☐ Warrant Service
- ☐ Warning Shot
- Other:

Initiated by (*check only one*):
- ☐ Arrest Warrant
- ☐ Call
- ☐ Observation
- ☐ One Person Unit
- ☑ Other
- ☐ Search Warrant
- ☐ Two Person Unit

Prior Activity (*check only one*):
- ☐ Detective
- ☐ Inmate Transport
- ☑ Other
- ☐ Routine Patrol

Aero Unit? ☐ Canine Unit? ☐

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
2	0

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*check only one*)	ShiftType (*check only one*)
	(None)			☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☐ Off Duty
				☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☐ Off Duty
				☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☐ Off Duty

Non-Employee Witnesses

Last Name		First Name			M.I.
(None)					
Street Address	City	Zip Code	Work Ph	Home Ph	
Last Name		First Name			M.I.
Street Address	City	Zip Code	Work Ph	Home Ph	
Last Name		First Name			M.I.
Street Address	City	Zip Code	Work Ph	Home Ph	

Supervisors

Employee #	Last Name	First Name	M.I.	(*check one or more*)
[redacted]	[redacted]	[redacted]		☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting
				☐ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Sandoval	Jose	

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	[redacted]	[redacted]	

PSTD Use Only
SH # 2313179

Officer Involved Shooting

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
05-23-12	1300 hours		

Employee #	Last Name	First Name	M.I.
[redacted]	Denison	Trent	
[redacted]	Smeltzer	Chad	
[redacted]	Libertone	Pat	

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E	FS	WN	12			NN	
E	S#1	FH	SS	40	N/A	N/A	NN	
E	S#2	FH	SS	40	N/A	N/A	GS	AD

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 912-06261-2812-055

Involved Employee

E 1

Employee # [redacted]	Last Name Rosborough	First Name Calvin	M.I. B.
Sex: M Race: B	Rank: DSG	Unit Assignment: TST	Work Assignment (Unit #, Module, etc.): (Off Duty)
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☑ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☑
Hrs of sleep prior to shooting: 6-8	Duty Time (hrs): Off Duty	Clothing (*circle only one*): ☑ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest	Other Factors:
Age: 52 Height: 6'02" Weight: 225lbs.			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: S & W	Caliber 40	# Shots 2	Weapons Fired Brand: Caliber # Shots
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest	Other Factors:
Age: Height: Weight:			
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber	# Shots	Weapons Fired Brand: Caliber # Shots
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest	Other Factors:
Age: Height: Weight:			
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber	# Shots	Weapons Fired Brand: Caliber # Shots
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

See Other Side

Officer Involved Shooting
Suspect Information

URN: 912-06261-2812-055

Suspect Information

S 1

Last Name: Montoya		First Name: Antonio	M.I.
AKA Last Name: "Turtle" CV13 gang		First Name	M.I.
Sex: M Race: Hispanic	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 19 D.O.B. 02-02-92	Height: 5'07" Weight: 140	FBI #: [redacted]	CII #: [redacted]
Booking #: 3107632	Primary Charge: Burglary 459 P.C.	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ✓	Apprehended? ✓	Mental Illness? ☐	Criminal History? ✓
Vehicle Make		Model:	Year:

S 2

Last Name: Vargas		First Name: Jonathan	M.I.
AKA Last Name: "Survivor" CV13 gang		First Name	M.I.
Sex: M Race: Hispanic	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 18 D.O.B. 03-17-94	Height: 5'09" Weight: 180	FBI #: [redacted]	CII #: [redacted]
Booking #: 3167618	Primary Charge: Burglary 459 P.C.	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ✓	Apprehended? ✓	Mental Illness? ☐	Criminal History? ✓
Vehicle Make		Model:	Year:

S 3

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

Investigative Summary

Incident: Off-Duty Deputy Involved Hit Shooting
LASD Report: 012-06261-2812-055
IAB File: SH2313179

Opening Statement

On May 23, 2012, Internal Affairs Bureau investigators responded to an incident command post erected by Compton Station personnel at Cressey Park, 1101 Cressy St., Compton. Sergeant Trent Denison, Sergeant Chad Smeltzer and Lieutenant Pat Libertone were briefed regarding the circumstances of a Deputy Involved Shooting involving off-duty TST Deputy Calvert Rosborough #[redacted]. Sergeant Denison was assigned the responsibility for the administrative review of the incident.

Synopsis

Deputy Rosborough completed his EM shift at Court Services Transportation Bureau (TST) and returned to his home in the city of Compton at approximately 1048 hours. When he approached his front door, he noticed it had been kicked open. He went into each room and found his entire house had been ransacked by burglars. He found his gun safe had been opened and two of his pistols had been stolen. Deputy Rosborough called Compton Station and requested deputies respond to take a burglary report. Deputy Rosborough then called his [redacted] and while talking to her on the phone, he heard voices from within his living room. He believed the noise was the deputies responding to take the burglary report. When he walked from his bedroom toward the hallway, via a connecting bathroom, he noticed two suspects in his family room facing him from a few feet away. One of the suspects was holding his (Rosborogh's) shotgun at port arms and he did not know if one, or both, of the suspects were also armed with his stolen pistols.

Deputy Rosborough saw Suspect Jonathon Vargas holding the shotgun and quickly start moving, which caused Deputy Rosborough to fear one or both of the suspects were going to shoot him. Suspect Vargas took a few steps then turned toward Deputy Rosborough. Deputy Rosborough fired two rounds from his personally owned .40 Caliber pistol at both suspects in order to protect himself. The rounds struck Suspect Montoya in the arm, abdomen and buttocks areas. Suspect Montoya was standing single file behind Suspect Vargas at the time. Suspect Vargas fled from the home and got away.

During Homicide's investigation, it was determined the suspects had burglarized Deputy Rosborough's home and found the key to his gun safe and stole two pistols, jewelry and other property. The suspects left the home and returned a short time later with a van. They re-entered the home in order to take more guns from the safe.

During the time the suspects had left to get a van, Deputy Rosborough had returned home, checked his home for his [redacted] and the suspects, and called Compton Station to report the burglary. Moments later, Deputy Rosborough surprised the suspects, who had come back to steal more property and weapons.

During Homicide's investigation, Suspect Vargas was identified and later arrested. Detectives were able to locate and retrieve Deputy Rosborough's stolen guns and other property taken from his home.

IAB Lieutenant Libertone checked to see that the watch commander, Lt. [redacted], took reasonable steps to ensure Deputy Rosborough did not discuss the incident with uninvolved persons prior to being interviewed by the assigned investigators. In addition, IAB Lieutenant Libertone checked to see if the watch commander attempted to have Deputy Rosborough remain in the company of a supervisor until he provided a statement to the assigned investigators.

Homicide detectives documented their investigation and arrest of both suspects involved in this incident. For more information, see the Homicide Investigation Book **Exhibit A**.

The District Attorney reviewed this case and found Deputy Rosborough's actions were lawful. The District Attorney authored a Letter of Opinion, included in **Exhibit B**.

Involved Deputy
Deputy **Calvert B. Rosborough #**[redacted]
Court Services Division, TST

Work History

Date of Employment:	02/89
Date Assigned to Patrol:	[redacted]
Prior Shooting Incident(s):	[redacted]

Suspects
Suspect **Antonio Montoya**, MH/19, DOB 02-02-93. Suspect Montoya has a [redacted]

Suspect Montoya was [redacted].

Suspect **Jonathon Vargas**, MH/18, DOB 03-17-94. Suspect Vargas has a [redacted]

Suspect Vargas was [redacted].

Witnesses
None.

Injuries
Suspect Montoya received gunshot wounds to his left rib cage, mid lower back, left groin and two gunshot wounds to his left bicep. He survived his wounds and was arrested.

No one else was injured during this incident.

Physical Evidence
Homicide investigators located and identified evidence related to this incident. For more information, see the supplemental reports and crime lab reports found on pages; 1-11, 19, 20, 23, 90, 99-101 & 107 in the Homicide Investigation Book, Exhibit A.

Latent prints were recovered from inside Deputy Rosborough's home and on items stolen. Both Suspects Montoya and Vargas' prints were identified inside the home and on some of the recovered stolen items. For more information, see the crime lab reports starting on page 107 of the Homicide Investigation Book.

Investigator's Observations
Investigators noticed Deputy Rosborough's home was a single family [redacted] of a residential street. The front door was on the [redacted] of the home and faced [redacted]. Inside the front door was a small living room with a hallway in the middle of the south wall, and a door to the kitchen at the southwest side of the living room.

Investigators noticed damage to the lock area of the front door. There was blood on the living room floor with medical aid debris scattered around. The living room appeared ransacked as evidenced by numerous items disheveled and broken on the floor. Investigators noticed a long barrel 12 gauge shotgun on the living room floor just inside the front door. The gun had a stock sleeve with several 12 gauge shotgun rounds in it and one shotgun round on the floor near the stock of the gun. There was a couch against the west wall in the living room with a black color semi-automatic pistol on it, which was reportedly the gun used by Deputy Rosborough during the shooting.

Crime scene photographs are included on a CD in **Exhibit C**.

Weapon used by Deputy Rosborough
Personally owned Smith & Wesson Model SW99 .40 caliber semi-automatic pistol, Serial # [redacted].

Weapon used by Suspect Vargas
Winchester "Ranger", 12 gauge shotgun, Model 120, Serial # [redacted] (belonging to Deputy Rosborough)

Property Damage
Front door frame and lock of Deputy Rosborough's home, which was caused by the suspects.

Blood stains on the floor and couch inside Deputy Rosborough's home. Two bullet strikes to the inside living room wall of Deputy Rosborough's home.

Criminal Investigators
Homicide Detectives S. Brossoit & D. McElderry

Lighting and Weather Conditions
This incident occurred during daylight hours. The interior of the home was lit by sunlight from numerous uncovered windows. The weather was warm and dry.

IAB Interview of Deputy Rosborough
Homicide investigators interviewed Deputy Rosborough on the date of this incident. A summary of their interview may be found on pages 15-18 of the Homicide Investigation Book. IAB investigators reviewed the tape recordings of said interview and found Homicide's summary is an accurate account of what was said. Per Department protocol, Deputy Rosborough did not author a report regarding this incident. IAB investigators conducted a Force Review interview with Deputy Rosborugh and the following is a summary of that interview. Additional information and precise wording may be obtained by reviewing the attached verbatim interview transcriptions.

Deputy Rosborough told IAB investigators he returned home after working his shift at TST and parked his car on the street in front of his home. As he walked to the front door, he noticed the door was open and believed his [redacted] may have left it open. When he got to the door, he noticed it had been kicked in because of the damaged door frame and pieces of wall debris on the floor. He also saw his shotgun, which had been locked in his gun safe when he left for work, was lying on the living room couch just inside his front door. He saw his living room had been ransacked. He was frightened that his [redacted] may have still been inside and hurt or killed. He armed himself with his personally owned .40 caliber pistol and quickly checked his home for his [redacted].

Deputy Rosborough found the entire house had been ransacked and that his [redacted] was not home, and the suspects were not there. While searching his home, he found his gun safe had been opened and two of his pistols were stolen.

Deputy Rosborough called Compton Sheriff Station and requested deputies respond to write a burglary report. He called his [redacted] and she asked him to look for some of her jewelry in a back bedroom. He was in the rear bedroom of his home looking for the jewelry when he heard voices from the front part of his home and believed the deputies had arrived to take a report. He walked toward the front of the house and came face to face with a male Hispanic suspect, who was holding his (Rosborough's) shotgun port arms. The suspect quickly turned and ran back into the family room, then turned again toward Rosborough.

Deputy Rosborough noticed a second suspect was in the family room and facing him. Both suspects were single file within feet of him as he stood in the doorway to a bathroom which separates the bedroom from the family room.

Deputy Rosborough said he was afraid the suspect with his shotgun was going to shoot him. He also believed the second suspect may have had his two stolen pistols he noticed were taken from his safe earlier. He felt both suspects were armed and a threat to shoot him in his home, so he fired a total of three rounds at both suspects in order to protect himself. As he fired, the suspects started turning their bodies to the left. He said both suspects ran toward the front of his home and one of them fell to the ground in the hallway. The suspect with his shotgun ran toward the front door therefore, he ran after him so he would not be attacked should the suspect turn around someplace in the home. He also wanted to determine if there were more suspects in his home. The fleeing suspect ran out the front door and down the street. Deputy Rosborough stopped at his front door and turned to detain Suspect Montoya, who had fallen to the ground. He noticed Montoya was bleeding while he crawled into the front living room, and heard him say he had been shot. Suspect Montoya tried to get up by using a couch to lean on, but could not do so. He saw Montoya lie down on the ground atop the shotgun, which the first suspect had dropped on the floor sometime while running out of the house.

Deputy Rosborough detained Suspect Montoya at gunpoint and called Compton Station to report he had just called about a burglary report and the suspects had returned. He advised he had shot one of the suspects and was detaining him while the second suspect had fled.

Deputy Rosborough utilized a crime scene diagram of the interior of his home to indicate his position, and that of the suspects, at the time of his shooting. The diagram is included at the end of his transcribed IAB interview for reference.

Suspect Statements

Compton Station Detective Gonzalez interviewed Suspect Montoya. He documented his interview on a supplemental report which is included on page 56 of the Homicide Investigation Book. During Homicide's investigation, they were able to identify and ultimately arrest the second suspect involved, Jonathon Vargas, who had run from Deputy Rosborough's home at the time of the shooting. Homicide detectives interviewed Suspect Antonio Montoya and later, Suspect Jonathon Vargas.

For more information, see the summary of Suspect Montoya's un-recorded interview on page 18 and Suspect Vargas' recorded interview on page 20 of the Homicide Investigation book. Included on a CD in Exhibit C is a recording of Homicide's interviews of Suspect Vargas and Deputy Rosborough. A transcription of Suspect Vargas' Homicide interview is attached with this investigation.

Suspect Montoya told Homicide detectives he was called by his friend, Jonathon Vargas, to assist him in getting property from a house he had burglarized and that he would pay him. Suspect Montoya said he was supposed to be the lookout while Suspect Vargas went inside. During the burglary, he heard noises inside so he went into the home to investigate and was shot. He added Vargas ran away and left him to die.

Suspect Vargas told Homicide detectives he was not part of the burglary, but may be able to help retrieve stolen items. He eventually assisted detectives in retrieving Deputy Rosborough's guns, jewelry, clothing and other items that were stolen.